

ARREST DISPOSITION SUBMISSION

Section I. Introduction

A Criminal History Record includes an individual's identifiers (descriptive information and fingerprints), arrests and subsequent dispositions. Dispositions are posted to the National Criminal History Record File by the FBI's Criminal Justice Information Services (CJIS) Division. Each criminal arrest for which the CJIS Division has a fingerprint submission should have a disposition.

The FBI defines a disposition as an action regarded by the criminal justice system to be final. A disposition states that arrest charge(s) have been modified, dropped or reports the findings of a court.

Dispositions are submitted by criminal justice agencies and posted to the Criminal History Record to ensure accuracy and completeness. Dispositions are submitted to the CJIS Division by:

- State Criminal History Repositories
- Arresting Agencies (Sheriff's Offices, Police Departments, State Police, Correctional Facilities)
- Courts
- Federal Agencies (FBI, Drug Enforcement Agency, Bureau of Alcohol, Tobacco and Firearms, U.S. Marshals, Immigration and Naturalization Service, etc.)

Importance of Arrest Dispositions

In every instance where criminal arrest fingerprints have previously been submitted to the FBI, it is imperative that the final disposition be submitted to maintain a complete and accurate Criminal History Record.

A complete Criminal History Record is important to Law Enforcement for investigative purposes. A complete Criminal History Record is also important for non-criminal justice background checks for employment, licensing, adoption, citizenship and firearm purchases. In any of these cases, if a disposition is not present on the applicant's Record, this could prevent or delay finalization of these proceedings.

Many believe that if the disposition information is updated directly to the Interstate Identification Index (III) through the National Crime Information Center (NCIC), it is not necessary to submit this information to the FBI. But, because III is not being used for handling interstate non-criminal justice background checks, such requests continue to be handled by the FBI. For this reason, the FBI's Criminal History Record File must continue to be maintained and kept up-to-date.

Section II. Arrest Disposition Submission Formats

Dispositions can be submitted on magnetic tape (Machine Readable Data - MRD) and in a paper format (Dispositions Forms).

Approximately 90 percent of all dispositions received by the CJIS Division are submitted on MRD tape. States submitting dispositions via MRD tape prepare the disposition information on magnetic tape per specified guidelines established in the *Disposition / Expungement MRD Specifications Manual*. Each tape contains approximately 20,000 dispositions. MRD tapes are mailed to the CJIS Division monthly for processing. The tapes result in automatic updates to Criminal History Records

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with minimal manual intervention. There is no waiting period for a disposition to be posted once the CJIS Division receives the MRD tape. The information is posted instantaneously when the tape is processed. This means in a matter of hours, several thousand Records will have updated disposition information. MRD results in major savings in personnel resources and faster processing.

MRD Requirements

Currently, only state agencies can submit dispositions via MRD tape. In order to submit dispositions via MRD tape, the state must meet the following requirements:

- Must be a Single Source State - This means that the State Criminal History Repository is the channeling agency for dispositions, expungement requests, corrections, deceased notices and consolidations.
- State Criminal History Repository must be the Point of Origin for MRD submission
- Media Types: 3480 Cartridge or 8 mm Tape

For more information, contact the FBI at 304-625-5590 and ask for the *Disposition / Expungement MRD Specifications Manual*.

Paper Disposition Forms

Some examples of paper Disposition Forms include:

- Court Orders
- Computerized Forms Devised and Approved by the Respective State
- R-84 Final Disposition Report

The R-84 Final Disposition Report is the most commonly used paper Disposition Form. The R-84 is a standard form available through the FBI, free of charge. To order R-84 Final Disposition Report or R-84 Training Forms, contact the FBI at 304-625-3983.

Required Information for the R-84 Final Disposition Report

1) Name

The name submitted on the original arrest fingerprints that established the record. The format is last name followed by a comma, first and middle name, if any. Suffixes denoting seniority (e.g., Jr., Sr., III, etc.) should follow the middle name.

2) Date of Birth (DOB)

DOB in month, day and year format (e.g. MM/DD/YYYY). If a complete DOB is not known, enter the approximate age of the subject followed by the statement, "Years of Age."

3) Contributor of Fingerprints

The name and location of the agency that submitted the original arrest fingerprints.

4) Date Arrested or Received

Date the subject was arrested by the contributor of the original arrest fingerprints. The format is month, day and year (e.g., MM/DD/YYYY).

R-84 Final Disposition Report Required

R-84 (Rev. 08-31-1999)		FINAL DISPOSITION REPORT	Leave Blank
<small>Note: This vital report must be prepared on each individual whose arrest fingerprints have been forwarded to the FBI Criminal Justice Information Services Division with final disposition noted thereon. If not final disposition is available to arresting agency, complete left side and forward the form when case referred to prosecutor and/or courts. Agency on notice as to final disposition should complete this form and submit to: FBI, CJIS Division, Clarksburg, WV 26306. (See Instructions on reverse side)</small>			
FBI No.		Final Disposition & Date (If convicted or subject pleaded guilty to lesser charge, include this modification with disposition.)	
Name on fingerprint Card Submitted to FBI Last First Middle 1) NAME		6) FINAL DISPOSITION	
Date of Birth Sex 2) DATE OF BIRTH			
Henry Fingerprint Classification From FBI 1-B Response State Bureau No. Social Security No. (SOC)		This Form Submitted By: (Name, Title, Agency, ORI No., City & State)	
Contributor of Fingerprints (Include complete name and location of agency together with ORI number.) 3) CONTRIBUTOR OF FINGERPRINTS		7) SUBMITTING AGENCY Signature Date Title	
Arrest No. (OCA)	Date Arrested or Received 4) DATE ARRESTED	<input type="checkbox"/> COURT ORDERED EXPUNGEMENT: Certified or Authenticated Copy of Court Order Attached.	
Offenses Charged at Arrest 5) OFFENSES CHARGED AT ARREST			
NOTE: IF ADDITIONAL SPACE IS NEEDED, CONTINUE ON THE REVERSE SIDE OF THIS FORM.			

5) Offenses Charged at Arrest

Express the original arrest charge(s) in literal terms (e.g., murder, rape, robbery, etc.). Numeric arrest codes and U.S. Title Codes are acceptable when accompanied by the literal charge.

6) Final Disposition

- T List all final disposition information, including the sentence date for each charge.
- T Include amended charges
- T Indicate the type of sentence imposed if applicable (e.g., consecutive, concurrent, probation, etc.)
- T Number each disposition to correspond with the appropriate charge
- T If the subject was convicted or plead guilty to a lesser charge, include the modification with the disposition
- T Indicate if a single final disposition applies to all charges listed (e.g., five years prison on charges of burglary and theft)

7) Submitting Agency

The Originating Agency Identifier (ORI) number, agency name, city, and state of the submitting agency. Also, provide signature, date, and title.

The current version of the R-84 Final Disposition Report is dated 8/99. Previous versions of the R-84 required the right fingerprint impressions of the subject. ***Fingerprint impressions are no longer required.***

Other Helpful Information for the R-84 (But Not Required)

1) FBI Number

2) State Identification Number (SID)

The SID is an identifying number assigned to the subject of record by the state in which the arrest occurred. Enter SID numbers with no more than ten alphanumeric characters, which includes the state abbreviations.

3) Social Security Number (SOC)

Common Reasons Dispositions Could Be Rejected

No FBI Record Established for Subject ("Non-Ident") or Date of Arrest Not on File

In both of these cases, the CJIS Division has not received arrest fingerprints related to the disposition submission. No FBI Record means that the Criminal History Record File does not contain a Record for the subject. No Date of Arrest means there is a Record, but the arrest to which the disposition refers is not on file.

Missing Information

- No State Criminal History Repository (Identification Bureau) Stamp - Some states require that criminal history documents be processed through the State Criminal History Repository prior to being sent to the FBI. States that process documents through the State Repository will place a State stamp on the document when processing has been completed.
- No Disposition Provided or Non-Final Disposition - Examples of Non-Final Dispositions are: bail set, held, hearing date, trial date, charged with. This information is not posted to a subject's Criminal History Record.
- No Name or Date of Birth Provided - This information is needed to identify the appropriate Record to post the Disposition.

- No Charge Provided - The CJIS Division cannot determine which arrest cycle to associate the disposition, without the original arrest charge.
- No Date of Arrest Provided - Without the Date of Arrest it is difficult to determine what arrest cycle the disposition should be associated.

Charge Not in Literal Form

Numeric arrest codes and U.S. Title Codes are acceptable only when accompanied by the literal charge.

Date of Arrest Does Not Match

Not Identifying Appropriate Disposition to the Appropriate Charge

If there are multiple arrest charges on the R-84, it is important to indicate which disposition goes with each charge. Please include any amended charges.

Illegible Handwriting

Section III. Court Ordered Expungement

If a certified or authenticated copy of a court ordered expungement is submitted with the R-84 Final Disposition Report, please check the box "Court Ordered Expungement," on the R-84 Final Disposition Report and attach the court order.

An expungement is a deletion of a single arrest or an entire Record. Each state employs unique forms for submitting expungement information to the CJIS Division to ensure the Criminal History Record at the FBI is expunged. However, the following information should be on every expungement request, regardless of the form used:

- Name
- Date of birth or FBI number
- Expungement terminology (e.g., delete, expunge, purge, etc.)
- Date of Arrest
- Charge(s) to be removed
- Copy of court order (in accordance with state guidelines)
- State Bureau Stamp or letterhead (in accordance with state guidelines)

For questions regarding the expungement procedures contact the State Criminal History Repository in the state in which the arrest occurred.

Section IV. Customer Service

For questions regarding Disposition Submission or how to submit Dispositions via MRD tape, contact the FBI at 304-625-5590 or email your question to Liaison@Leo.gov.

To Order R-84 Final Disposition Reports or R-84 Training Forms

Contact the FBI at 304-625-3983.

Mailing Address

Mail paper dispositions or expungements to the following address:

FBI Criminal Justice Information Services Division
1000 Custer Hollow Road
Clarksburg, West Virginia
26306